

7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 UNITED STATES OF AMERICA,)
11 Plaintiff,)
12 v.)
13 DONALD ALAN PEPIN and)
14 MICHAEL RALPH WORLEY,)
15 Defendants.)

NO. CR09-400RSL

ORDER
TO CONTINUE TRIAL DATE

16 The Court having reviewed the records and files herein including the stipulated
17 motion to continue the trial date makes the following findings and enters the following
order:

18 1. There are two defendants charged in the Indictment. One defendant,
19 Donald Pepin, and his attorney reside in Florida state. As a result, attending in-person
20 meetings, discovery conferences and court appearances are more difficult to plan and
21 facilitate.

22 2. The government has produced a large volume of electronic discovery and
23 intends to produce discovery in a "searchable" form as soon as available.

24 3. Defense counsel requires additional time to review the discovery in advance
25 of the parties' discovery conference. Moreover, given the nature of this case, the parties
26 anticipate the necessity of holding more than one discovery conference.

27 4. The ends of justice outweigh the best interest of the public and the
28 defendants in a speedy trial. That failure to grant a continuance based upon the parties'

1 need to review the discovery and evidence in this case and to adequately prepare the
2 matter for trial would result in a miscarriage of justice.

3 IT IS HEREBY ORDERED that the pretrial motions cutoff date for defendants is
4 continued from December 31, 2009 to August 20, 2010.

5 IT IS HEREBY ORDERED that the trial date is continued from February 8, 2010
6 to September 20, 2010.

7 IT IS FURTHER ORDERED that pursuant to Title 18, United States Code,
8 Section 3161(h), the period of time from February 8, 2010 up to and including September
9 20, 2010 is excluded in the computation of time under the Speedy Trial Act.

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11 DONE this 22nd day of January, 2010.

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14 Robert S. Lasnik
15 United States District Judge

16 Presented by:

17
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